

House File 2281 - Introduced

HOUSE FILE _____
BY HUNTER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to graduated driver licensing provisions and
2 requiring the use of safety belts, safety harnesses, or child
3 restraint systems by all passengers in a vehicle operated by a
4 person with an intermediate driver's license and making a
5 penalty applicable.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5947HH 82
8 dea/nh/14

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1 1 Section 1. Section 321.180B, subsection 2, Code 2007, is
1 2 amended to read as follows:

1 3 2. INTERMEDIATE LICENSE.

1 4 a. The department may issue an intermediate driver's
1 5 license to a person sixteen or seventeen years of age who
1 6 possesses an instruction permit issued under subsection 1 or a
1 7 comparable instruction permit issued by another state for a
1 8 minimum of six months immediately preceding application, and
1 9 who presents an affidavit signed by a parent or guardian on a
1 10 form to be provided by the department that the permittee has
1 11 accumulated a total of ~~twenty~~ thirty hours of street or
1 12 highway driving of which ~~two~~ four hours were conducted after
1 13 sunset and before sunrise and the street or highway driving
1 14 was with the permittee's parent, guardian, instructor, a
1 15 person certified by the department, or a person at least
1 16 twenty-five years of age who had written permission from a
1 17 parent or guardian to accompany the permittee, and whose
1 18 driving privileges have not been suspended, revoked, or barred
1 19 under this chapter or chapter 321J during, and who has been
1 20 accident and violation free continuously for, the six-month
1 21 period immediately preceding the application for an
1 22 intermediate license. An applicant for an intermediate
1 23 license must meet the requirements of section 321.186,
1 24 including satisfactory completion of driver education as
1 25 required in section 321.178, and payment of the required
1 26 license fee before an intermediate license will be issued.

1 27 b. A person issued an intermediate license ~~must~~ shall
1 28 limit the number of passengers in the motor vehicle when the
1 29 intermediate licensee is operating the motor vehicle to the
1 30 number of passenger safety belts and to no more than one
1 31 passenger under twenty-one years of age other than the
1 32 licensee's immediate family members. Notwithstanding any
1 33 provision of law to the contrary, the provisions of sections
1 34 321.445 and 321.446 apply to all occupants of a vehicle
1 35 operated by a person with an intermediate license, regardless
2 1 of seating position.

2 2 c. Except as otherwise provided, a person issued an
2 3 intermediate license under this subsection who is operating a
2 4 motor vehicle between the hours of twelve-thirty a.m. and five
2 5 a.m. must be accompanied by a person issued a driver's license
2 6 valid for the vehicle operated who is the parent or guardian
2 7 of the ~~permittee licensee~~, a member of the ~~permittee's~~
2 8 licensee's immediate family if the family member is at least
2 9 twenty-one years of age, an approved driver education
2 10 instructor, a prospective driver education instructor who is
2 11 enrolled in a practitioner preparation program with a safety
2 12 education program approved by the state board of education, or
2 13 a person at least twenty-five years of age if written
2 14 permission is granted by the parent or guardian, and who is
2 15 actually occupying a seat beside the driver. However, a
2 16 licensee may operate a vehicle to and from school-related
2 17 extracurricular activities and work without an accompanying

2 18 driver between the hours of twelve=thirty a.m. and five a.m.
2 19 if ~~such~~ the licensee possesses a waiver on a form to be
2 20 provided by the department. An accompanying driver is not
2 21 required between the hours of five a.m. and twelve=thirty a.m.
2 22 Sec. 2. Section 321.180B, subsection 4, Code 2007, is
2 23 amended to read as follows:
2 24 4. FULL DRIVER'S LICENSE. A full driver's license may be
2 25 issued to a person seventeen years of age who possesses an
2 26 intermediate license issued under subsection 2 or a comparable
2 27 intermediate license issued by another state for a minimum of
2 28 twelve months immediately preceding application, and who
2 29 presents an affidavit signed by a parent or guardian on a form
2 30 to be provided by the department that the intermediate
2 31 licensee has accumulated a total of ~~ten~~ twenty hours of street
2 32 or highway driving of which ~~two~~ four hours were conducted
2 33 after sunset and before sunrise and the street or highway
2 34 driving was with the licensee's parent, guardian, instructor,
2 35 a person certified by the department, or a person at least
3 1 twenty=five years of age who had written permission from a
3 2 parent or guardian to accompany the licensee, whose driving
3 3 privileges have not been suspended, revoked, or barred under
3 4 this chapter or chapter 321J during, and who has been accident
3 5 and violation free continuously for, the twelve=month period
3 6 immediately preceding the application for a full driver's
3 7 license, and who has paid the required fee.

3 8 EXPLANATION

3 9 This bill increases the amount of supervised driving
3 10 experience that a permittee between 14 and 18 years of age
3 11 must accumulate to qualify for an intermediate license from 20
3 12 hours, including two hours of nighttime driving, to 30 hours,
3 13 including four nighttime driving hours. The bill also
3 14 increases the amount of supervised driving experience that a
3 15 17=year=old intermediate licensee must accumulate to qualify
3 16 for a full driver's license from 10 hours, including two hours
3 17 of nighttime driving, to 20 hours, including four hours of
3 18 nighttime driving.

3 19 The bill allows no more than one passenger under 21 years
3 20 of age, other than the licensee's immediate family members, in
3 21 a vehicle being operated by an intermediate licensee. In
3 22 addition, the bill requires that all passengers use
3 23 appropriate safety restraints regardless of seating position
3 24 when riding in a vehicle operated by an intermediate licensee.
3 25 A violation of the seat belt or child restraint law is a
3 26 simple misdemeanor punishable by a scheduled fine of \$25.

3 27 LSB 5947HH 82

3 28 dea/nh/14